

Notice of Allowability

Application No.

09/897,222

Examiner

Ngoc K. Vu

Applicant(s)

MORI, TOSHIYA

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/7/2007.
2. ☒ The allowed claim(s) is/are 10-15, 17-41, 45, 47, 49, 50, 52, 54, 55 and 57-70.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Price on April 10, 2007.

The application has been amended as follows:

In the specification:

Page 94, lines 9-10, after "computer-readable recording media", "to be distributed or transferred through internet" has been deleted.

Page 94, line 16, "a hard disk" has been changed to --a hard disc--.

In the claims:

Claim **49**, line 17, "and" has been deleted after "additional data;".

Claim **49**, last line, after "additional data;", --and

a displaying step for displaying the first additional data.-- has been inserted.

Claim **50**, line 40, "and" has been deleted after "additional data;".

Claim **50**, last line, after "additional data;", --and

a displaying step for displaying the first additional data.-- has been inserted.

Claim **52**, line 23, "and" has been deleted.

Claim **52**, last line, after "multiplexed data;", --and

a displaying step for displaying the first additional data.-- has been inserted.

Art Unit: 2623

Claim 54, lines 1-2, "A computer-readable medium storing a broadcast program for causing a broadcast apparatus to operate by" has been replaced with --A computer-readable medium encoded with computer executable instructions being executed by a computer to perform--.

Claim 54, lines 3-4, after "a reception apparatus", "soon after receipt and additional data which corresponds to the program data, the broadcast program having a computer execute" has been deleted.

Claim 55, lines 1-2, "A computer-readable medium storing a broadcast program for causing a broadcast apparatus to operate by" has been changed to --A computer-readable medium encoded with computer executable instructions being executed by a computer to perform--.

Claim 55, lines 3-4, after "a reception apparatus", "soon after receipt and additional data which corresponds to the program data, the broadcast program having a computer execute" has been deleted.

Claim 57, lines 1-5, "storing a reception program...the reception program having a computer execute" has been changed to -- encoded with computer executable instructions being executed by a computer to perform--.

2. The following is an examiner's statement of reasons for allowance: the prior art, singularly or in combination, does not teach or fairly suggest a broadcast apparatus, a broadcast method and computer readable medium as variously claimed. In addition, the prior art does not teach the claimed cached instruction as referred to in the applicant's argument filed 6/16/06.

Art Unit: 2623

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



NGOC K. VU
PRIMARY EXAMINER
Art Unit 2623

April 12, 2007